

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ANDREA M. LONG,

Plaintiff,

Case No.: 3:19-cv-133

vs.

COMMISSIONER
OF SOCIAL SECURITY,

Magistrate Judge Michael J. Newman
(Consent Case)

Defendant.

**ORDER AND ENTRY: (1) GRANTING THE JOINT MOTION FOR REMAND
(DOC. 17); (2) REMANDING THIS CASE TO THE COMMISSIONER UNDER THE
FOURTH SENTENCE OF 42 U.S.C. § 405(g) FOR FURTHER PROCEEDINGS WITH
REGARD TO PLAINTIFF'S DISABILITY STATUS PRIOR TO FEBRUARY 15, 2018;
AND (3) TERMINATING THIS CASE ON THE COURT'S DOCKET**

This Social Security disability benefits appeal is presently before the Court on the parties' joint motion to remand this case under Sentence Four of 42 U.S.C. § 405(g) and to enter judgment in that regard under Fed. R. Civ. P. 58. Doc. 17. The parties jointly request that, upon remand, the Appeal Council will affirm the finding of disability for the period beginning on February 15, 2018, and that such finding will not be disturbed during any remand proceedings. However, the parties request that, upon remand, the Appeals Council vacate the findings regarding Plaintiff's disability before February 15, 2018 and instruct the Administrative Law Judge ("ALJ") to further evaluate opinion evidence and Plaintiff's residual functional capacity ("RFC"), offer Plaintiff a new hearing, and to issue a new decision.

Accordingly, based upon the stipulation of the parties, and for good cause shown, **IT IS ORDERED THAT:** (1) the ALJ's non-disability finding prior to February 15, 2018 is found unsupported by substantial evidence, and the parties' joint motion for a remand (doc. 17) is

GRANTED; (2) this case is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for further proceedings regarding Plaintiff's disability status prior to February 15, 2018; and (3) this case is **TERMINATED** upon the Court's docket. The Clerk is **ORDERED** to enter judgment accordingly.

IT IS SO ORDERED.

Date: November 22, 2019

s/ Michael J. Newman
Michael J. Newman
United States Magistrate Judge